(1) (2)

e-Report

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

WRIT PETITION NO. 1482 /2002

Union of India
& Others — Petitioners

P.R. No. 1482/02
Presented by Shri J.P. Mishra
dated 24.10.02

VERSUS

Hari Dhan Paik
& Others — Respondents

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 1482 02 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DB: Hon'ble Justice K. H. N. Kuranga, C.J.
& Hon'ble Justice L. C. Bhadoo, J.
20.6.2003

Petitioners/Union of India by Dr. N. K. Shukla, Sr. Advocate with Shri Shailendra Shukla, Advocate.

Heard.

The petitioners/Union of India by this petition under Article 227 of the Constitution of India have challenged the order passed by the Central Administrative Tribunal, Bench at Jabalpur dated 11th March, 2002 (Annexure P/2) passed in Original Application No. 919 of 2000 by which learned Tribunal quashed the enquiry against Harda Dhan Paik (Respondent No.1) on the ground that the Enquiry Officer has also acted as Presenting Officer as no Presenting Officer was appointed in that departmental enquiry thereby the principle of natural justice has been violated and enquiry on this ground stand vitiated and in the result the order of removal and reduction to the initial stage Annexure-A/1 were quashed and set-aside. More over the Tribunal has given the opportunity to the department/Union of India that if they so want they can conduct the enquiry from the stage of appointment of the Presenting Officer; thereby no prejudice is caused to the petitioners/Union of India.

Having heard learned counsel for the petitioners we are of the opinion that this petition has no merit and there is no infirmity or illegality in the order passed by the learned Tribunal. We find no force in this petition therefore it is dismissed.

Sd/-
Chief Justice

Sd/-
L.C.BHADOO
Judge

Thakur

[पीछे देखिये